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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,060	11/21/2001	Joseph Gredone	I-2-201US	1472

24374 7590 03/31/2005

VOLPE AND KOENIG, P.C.  
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UNITED PLAZA, SUITE 1600  
30 SOUTH 17TH STREET  
PHILADELPHIA, PA 19103

EXAMINER
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PATEL, NITIN C

ART UNIT	PAPER NUMBER
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2116

DATE MAILED: 03/31/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/990,060	<b>Applicant(s)</b> GREDONE ET AL.	
	<b>Examiner</b> Nitin C. Patel	<b>Art Unit</b> 2116	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 March 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-57 is/are pending in the application.
- 4a) Of the above claim(s) 46-57 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 37-39 is/are allowed.
- 6) ☒ Claim(s) 10-33 is/are rejected.
- 7) ☒ Claim(s) 1-9, 18, 26, 34-36 and 40-45 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>4/17/03; 2/2/04; 9/12/04; 2/7/05</u> | 6) <input checked="" type="checkbox"/> Other: <u>TDI approval</u>                       |

## **DETAILED ACTION**

1. This is in responsive to amendment filed on 7 March 2005.
2. Claims 46 – 57 have been cancelled.

### ***Information Disclosure Statement***

3. The information disclosure statement (IDS) submitted on 17 April 2003, 2 February 2004, 20 September 2004, and 7 February 2005 submitted are in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statements. The duplicate references are crossed out by the examiner.

### ***Terminal Disclaimer***

4. The terminal disclaimer filed on 7 March 2005 disclaiming the terminal portion of any patent granted on this application, which would extend beyond the expiration date of US Patent 6,823,468, and US Patent 6,823,468 has been reviewed and is accepted. The terminal disclaimer has been recorded.

### ***Claim Objections***

5. Claims 1, 4, 18, 26, 34, 40, 16, 24, and 32 are objected to because of the following informalities:
  6. In the claim 1, replace "serial/parallel" with ---serial to parallel---.
  7. In the claim 4, replace "serial/parallel" with ---serial to parallel---.
  8. In the claim 18, replace "serial/parallel" with ---serial to parallel---.
  9. In the claim 26, replace "serial/parallel" with ---serial to parallel---.
  10. In the claim 34, replace "serial/parallel" with ---serial to parallel---.

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11. In the claim 40, replace "serial/parallel" with ---serial to parallel---.
12. In the claim 16, replace "RX" with ---receive---, and "TX" with ---transmit---.
13. In the claim 24, replace "RX" with ---receive---, and "TX" with ---transmit---.
14. In the claim 32, replace "RX" with ---receive---, and "TX" with ---transmit---.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

15. Claims 10, 17, 18, 25, 26, and 33 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
16. In the claim 17, the limitation of m start bits collectively represent "both" a particularly mathematical function and a particular destination is contradictory with m start bits collectively represent "one of " a particular a particular mathematical function "or" a destination of independent claimed 10.
17. In the claim 25, the limitation of m start bits collectively represent "both" a particular mathematical function and a particular destination is contradictory with m start bits collectively representing "one of " a particular a particular mathematical function "or" a destination of independent claimed 18.
18. In the claim 33, the limitation of m start bits collectively represent "both" a particular mathematical function and a particular destination is contradictory with m start

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bits collectively represent "one of " a particular a particular mathematical function "or" a destination of independent claimed 26.

19. Independent claims 10,18, and 25 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

20. Dependent claims 17, 25, and 33 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

21. Claims 1, 4, 18, 26, 34, 40, 16, 24, and 32 objected to minor informalities, but would be allowable if rewritten with suggested correction.

#### ***Allowable Subject Matter***

22. Claims 37 – 39 are allowed.

#### ***Reasons For Allowance***

The following is an examiner's statement of reasons for allowance:

Applicant's claimed invention distinguishes over the prior art for following reasons. The independent claim 37 is allowable over the prior art of record because none of the references either alone or in combination, discloses or renders obvious a method for determining number of i-bus connections required to transfer block data by determining a maximum latency allowed, and determining a minimum number of connection required to transfer the block data with maximum latency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin C. Patel whose telephone number is 571-272-3675. The examiner can normally be reached on 6:45 am - 5:15 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on 571-272-3670. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nitin C. Patel  
March 24, 2005

  
**LYNNE H. BROWNE**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**